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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/725,197

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EXAMINER

AHN, SANGWOO

ART UNIT

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2168

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/725,197	Applicant(s) WANG ET AL.	
	Examiner SANGWOO AHN	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 5 – 21, 25 – 31 and 35 – 59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5 – 21, 25 – 31 and 35 – 59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Response

Claims 1, 5 – 21, 25 – 31 and 35 – 59 are pending in this application.

Claims 2 – 4, 22 – 24 and 32 – 35 have been canceled.

Response to Arguments

Applicant's arguments with respect to independent claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5 – 8, 11 – 12, 13 – 14, 21, 25 – 28, 31, 35 – 38, 41 – 44 and 51 – 59
are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication
Number 2003/0216930 issued to Carl A. Dunham et al. (hereinafter “Dunham”).

Regarding claim 1, Dunham discloses,

A computer-implemented method for searching, said method comprising:

storing sales information related to a plurality of search terms, wherein the sales information includes an accumulation of a plurality of purchase transactions of a plurality of users (paragraph 17 line 14: activity information is processed through feedback mechanism that provides ... actions and charge-back rates, paragraph 46 lines 11 – 12: percentage of total sale or per-product commission or bounty, paragraph 53 lines 3 – 6: storage database stores ... sales data, paragraph 67 line 5: return action data to the search engine for each action, whether a consummated sale or other action, paragraph 69 lines 1 – 4: if the user purchase products or services or takes any other payable action, the transaction information is transmitted to the search engine, et seq.)

receiving a first search term from a user (paragraph 15 lines 1 – 2: accept input such as search terms, et seq.);

dynamically generating a plurality of candidate search terms related to said first search term (paragraph 15 lines 9 – 12: upon retrieval of relevant information, organizes that data related to the search terms into a search results list, et seq.) in accordance with relevancy scores calculated (paragraph 17 lines 2 – 3: calculates a probability for each relevant listing, et seq.) based in part on the sales information (paragraph 17 line 14: activity information is processed through feedback mechanism that provides ... actions and charge-back rates, paragraph 46 lines 11 – 12: percentage of total sale or per-product commission or bounty, paragraph 53 lines 3 – 6: storage database stores ... sales data, paragraph 67 line 5: return action data to the search engine for each action, whether a consummated sale or other action, paragraph 69 lines 1 – 4: if the user purchase products or services or takes any other payable action, the transaction

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information is transmitted to the search engine, et seq.) and click information (paragraph 17 line 13: activity information is processed through the feedback mechanism that provides ... click-through rates, paragraph 56 line 4: pattern of clicks, et seq.) related to the first search term for providing to the user (paragraph 67 lines 13 – 15: the search engine can determine a more effective search results list to present to the user based upon the past behavior of that specific user, et seq.),

wherein said plurality of candidate search terms comprise a plurality of potential alternative search terms, and are at least organized in accordance with brands, wherein the brands related to the first search term are determined based upon the sales information (paragraph 54 lines 2 – 3: determines the placement of listings in such a way as to optimize the revenue generated for each query, paragraph 64: manipulates the listings shown and their positions in order to optimize the revenue generated by each query, et seq.); and

wherein at least one user of said plurality of users does not have a user profile.

Claims 21 and 31 are rejected based on the same rationale above.

Regarding claim 5 – 6, Dunham discloses,
said plurality of search terms are organized in accordance with products, or related searches (Figure 3 elements 52 and 54, et seq.).

Claims 25 – 26 and 35 – 36 are rejected based on the same rationale above.

Regarding claim 7, Dunham discloses,

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said plurality of candidate search terms are presented as links to other destinations (paragraph 35 line 16, et seq.).

Claims 27 and 37 are rejected based on the same rationale above.

Regarding claim 8, Dunham discloses,

said candidate search terms are generated off-line (paragraphs 29 – 33, et seq.).

Claims 28 and 38 are rejected based on the same rationale above.

Regarding claims 11 – 12, Dunham discloses,

said candidate search terms are generated in accordance with a span that define a number of word unit, and said span is greater than one word unit (paragraph 35 lines 9 – 11, et seq.).

Claims 41 – 42 are rejected based on the same rationale above.

Regarding claims 13 – 14, Dunham discloses,

said candidate search terms are refined in accordance with an inflection distance and said inflection distance is a measure of closeness between two search terms (paragraph 35 lines 9 – 11, paragraphs 47 – 48, et seq.).

Claims 43 – 44 are rejected based on the same rationale above.

Regarding claims 51 – 53, Dunham discloses,

click information includes purchase data based upon purchase behavior of a plurality of users (paragraph 17 line 13: activity information is processed through the feedback mechanism that provides ... click-through rates, paragraph 56 line 4: pattern of clicks, et seq.).

Claims 54 – 59 are rejected based on the same rationale discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 – 10, 29 – 30 and 39 – 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunham in view of U.S. Publication Number 2003/0078915 issued to Surajit Chaudhuri et al. (hereinafter “Chaudhuri”).

Regarding claims 9 – 10, Dunham discloses the method of claim 1.

Dunham does not explicitly disclose search terms organized in a hash table.

However, Chaudhuri discloses keywords organized in a hash table (paragraph 37, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Dunham's method of suggesting search terms to incorporate Chaudhuri's method of using a hash table for the search terms, thus saving the storage space and maximizing the speed of the look-up process (paragraph 34, et seq.).

Claims 29 – 30 and 39 – 40 are rejected based on the same rationale above.

Claims 19 - 20 and 49 - 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunham in view of U.S. Patent Number 5,987,460 issued to Niwa et al. (hereinafter “Niwa”).

Regarding claims 19 – 20, Dunham discloses the method of claim 1.

Dunham fails to disclose normalizing said plurality of candidate search terms in accordance with occurrence time or display position of said plurality of candidate search terms.

However, Niwa discloses normalizing said plurality of candidate search terms in accordance with occurrence time or display position of said plurality of candidate search terms (column 12 line 52 – column 13 line 7, et seq.). At time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Dunham's method of suggesting search results to incorporate Niwa's method of normalization, thus enabling display of search results characteristically appearing in a document group in a graph or list form, thereby saving user's time to locate the desired result.

Claims 49 – 50 are rejected based on the same rationale above.

Claims 15 – 18 and 45 – 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunham in view of U.S. Patent Number 6,701,314 issued to Joan Evelyn Conover et al. (hereinafter "Conover").

Regarding claims 15 – 18, Dunham discloses the method of claim 15.

Dunham does not explicitly disclose different types of dictionary (such as brand, artist, etc.), and wherein if said search term is deemed to be a particular type (such as brand), then at least one of said plurality of candidate search terms is presented as product of said type.

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However, Conover discloses different types of classification systems/hierarchies (column 1 line 67, column 5 lines 10 – 17: equivalent to different types of dictionaries in the present application), and wherein if said search term is deemed to be a particular type, then at least one of said plurality of candidate search terms is presented as a product of said type (column 1 line 67, column 5 lines 20 – 45: keywords are mapped against a specific weighted domain ontology, which is a classification system/hierarchy. Therefore, if a keyword is deemed to belong in a particular classification system/hierarchy, that keyword is presented as a product of that classification system/hierarchy). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Dunham's method of suggesting search terms to incorporate Conover's classifying keywords against classification systems/hierarchies, thus increasing operational speed and accuracy of the search term classifying process.

Claims 45 – 48 are rejected based on the same rationale above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANGWOO AHN whose telephone number is (571)272-5626. The examiner can normally be reached on M-F 10-6.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/31/2009

/S. A./

Examiner, Art Unit 2168

/Tim T. Vo/

Supervisory Patent Examiner, Art Unit 2168